

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

EARL WAYNE WYATT, <i>Plaintiff-Appellant,</i> v. CAL A. TERHUNE; SUZAN HUBBARD, Warden, <i>Defendants-Appellees.</i>	No. 00-16568 D.C. No. CV-99-00503-LKK ORDER
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Filed December 31, 2002

Before: Myron H. Bright,* Betty B. Fletcher and
Raymond C. Fisher, Circuit Judges.

ORDER

The panel has voted to deny appellee's petition for rehearing en banc, received October 8, 2002 and filed November 27, 2002.

The full court has been advised of the suggestion for rehearing en banc and no judge of the court has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35.

The petition for rehearing en banc, received October 8, 2002 and filed November 27, 2002, is DENIED.

The opinion filed September 23, 2002, and published at 305 F. 3d 1033 (9th Cir. 2002), is WITHDRAWN.

*The Honorable Myron H. Bright, Senior Circuit Judge, United States Court of Appeals for the Eighth Circuit, sitting by designation.

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